

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

In re: CHRIS E CARHART

§ Case No. 9:16-bk-06499-FMD

§

§

Debtor(s)

§

TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under Chapter 7 of the United States Bankruptcy Code was filed on 07/29/2016. The undersigned trustee was appointed on 08/01/2016.

2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. § 704.

3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized the gross receipts of \$ 129,349.93

Funds were disbursed in the following amounts:

Payments made under an interim distribution	<u>0.00</u>
Administrative expenses	<u>828.00</u>
Bank service fees	<u>888.47</u>
Other payments to creditors	<u>0.00</u>
Non-estate funds paid to 3rd Parties	<u>78,037.44</u>
Exemption paid to the debtor	<u>1,000.00</u>
Other payments to the debtor	<u>0.00</u>
Leaving a balance on hand of ¹	\$ <u>48,596.02</u>

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

¹ The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

6. The deadline for filing non-governmental claims in this case was 12/27/2016 and the deadline for filing governmental claims was 01/25/2017. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$5,765.62. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$5,765.62, for a total compensation of \$5,765.62.² In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$357.34, for total expenses of \$357.34.²

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 07/26/2019

By: /s/ Robert E. Tardif Jr.
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

² If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D)

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Case Number: 16-06499 CED
Case Name: CHRIS E CARHART

Period Ending: 07/26/19

Trustee: Robert E. Tardif Jr.
Filed (f) or Converted (c): 07/29/16 (f)
\$341(a) Meeting Date: 08/30/16
Claims Bar Date: 12/27/16

Ref #	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a) Abandon	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	HOMESTEAD-621 SEAVIEW CT, MARCO ISLAND	134,662.00	0.00		0.00	FA
2	HOME-3512 WHITE EAGLE DR, NAPERVILLE IL Current value is an estimate of the sum the estate could receive following sale of IL property due to carve out agreement.	799,000.00	26,012.49		104,049.93	FA
3	2012 AUDI A4 2.0 T	16,525.00	15,525.00		12,600.00	FA
4	2011 NISSAN JUKE	12,125.00	12,125.00		7,700.00	FA
5	HOUSEHOLD GOODS, BOOKS/PICTURES/CHILDRENS CD AND V 1/2 interest in Household goods, furnishings, appliances, books & pictures (FMV \$4,218)	2,109.00	1,001.00		0.00	FA
6	ELECTRONICS (1/2 INTEREST)	1,500.00	1,000.00		0.00	FA
7	CLOTHING	400.00	400.00		0.00	FA
8	WATCH AND WEDDING RING	250.00	250.00		0.00	FA
9	CHECKING ACCOUNTS	1,345.00	1,345.00		0.00	FA
10	CARHART EQUIPMENT	1.00	0.00		0.00	FA
11	CARHART INTERNATIONAL	1.00	0.00		0.00	FA
12	1 TERM LIFE INSURANCE POLICY	Unknown	0.00		0.00	FA
13	HAND TOOLS	550.00	550.00		0.00	FA
14	PERSONAL PAPERS	1.00	0.00		0.00	FA
15	FRAUDULENT TRANSFER (BIALLAS) (u) Trustee value is estimate only.	0.00	50,000.00		5,000.00	FA
16	CASH	335.00	335.00		0.00	FA
17	CARHART-HALASKA INT'L FJ against Debtor by this company so Trustee does not believe Debtor is owed money from same company.	241,567.00	0.00		0.00	FA
TOTALS (Excluding Unknown Values)		\$1,210,371.00	\$108,543.49		\$129,349.93	\$0.00

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Major activities affecting case closing:

<6/27/2019, 10:02:37 AM - BLK-342> Submitted TFR to UST.

<6/26/2019, 2:37:58 PM - BLK-342> Mailed estate return to IRS.

<6/26/2019, 10:25:58 AM - RET2-344>CPA finalizing estate return.

December 14, 2018 (GAH) Received funds from Biallas.

October 24, 2018 (RET) - Follow up with J. Biallas re: settlement funds.

September 07, 2018 (RET) - Emailed J. Biallas re: compromise funds.

July 09, 2018 (RET) - Emailed N. Cade re: possible distribution to creditors.

December 12, 2017 (RET) - Emailed Coldwell Banker real estate broker for another agent name. Previous agent left the office.

December 11, 2017 (RET) - Emailed J. Biallas re: listing northern property.

October 12, 2017 (RET) - Trial set on Bialas adversary in January 2018.

September 28, 2017 (BLK) - Sales proceeds received from sale of the Nissan Juke. Filed Report of Sale, and Application for Compensation for Martin Auction.

June 12, 2017 (RET) - Email to attorney re: personal property in IL.

May 04, 2017 (RET) - Emailed realtor ATE on IL home.

February 22, 2017 (GAH) Proposed Stip for \$34,117.20 at \$2,436.94 per mo. beginning 3/15/17 for 14 mos. plus 7/12 of any 2016 tax refund. Requested car titles and insurance with RET as loss payee. (signed Stip not returned)

February 13, 2017 (RET) - Filed motion for temporary restraining order in Biallas adversary. (hearing set for 2/23/17)

February 08, 2017 (RET) - Trustee reached agreement with Hinshaw Firm (FJ lien on IL real estate) for a carve out to unsecureds if Trustee succeeds on OTE and is able to administer property.

December 16, 2016 (RET) - Spoke to Brian Zeeck (Hinshaw Firm) re: OTE pending.

December 08, 2016 (RET) - Filed adversary proceeding against John Biallas, Illinois attorney. (Biallas given 30 days extension from the court to file response - due 2/10/17) Set for PTC 3/23/17. Response to Complaint filed.

October 13, 2016 (RET) - Prepared OTE on Illinois home. (response filed; hearing set) OTE sustained

August 12, 2016 (GAH) Motion filed to extend deadline to file rest of Schedules to 8/31/16. Received 341 docs; need DOF bank stmts.

August 17, 2016 (GAH) Debtor out of country. 341 rescheduled to 9/13 at 8:45 am Atty will file notice.

Initial Projected Date of Final Report (TFR): July 28, 2018

Current Projected Date of Final Report (TFR): June 27, 2019 (Actual)

Form 2

Cash Receipts and Disbursements Record

Case Number: 16-06499 CED
Case Name: CHRIS E CARHART

Trustee: Robert E. Tardif Jr.
Bank Name: BOK FINANCIAL
Account: *****7577 - Checking Account (Non-Interest Earn)
Blanket Bond: \$24,397,000.00 (per case limit)
Separate Bond: N/A

Taxpayer ID#: **_***8512
Period Ending: 07/26/19

1 Trans. Date	2 Check or Ref. #	3 Paid To / Received From	4 Description of Transaction	Uniform Tran. Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
08/29/17	Asset #3	Autobrokers of Ft. Myers	Sale of Assets (Doc #85)	1129-000	12,600.00		12,600.00
09/22/17	1000	CHRIS E CARHART	Payment of Claimed Exemption to Debtor (upon sale of property by the estate) in accordance with Order authorizing payment entered 8/31/17; Voided on 11/17/2017	8100-003		1,000.00	11,600.00
09/25/17	Asset #4	Martin Auction Services LLC	SALE OF ASSETS	1129-000	7,700.00		19,300.00
09/29/17		BOK FINANCIAL	BANK SERVICE FEE	2600-000		18.81	19,281.19
10/16/17	1001	Martin Auction	Payment to Auctioneer for Trustee in accordance with Order authorizing payment entered 10/3/17			828.00	18,453.19
10/16/17			Expenses 366.00	3620-000			18,453.19
10/16/17			Fees 462.00	3610-000			18,453.19
10/31/17		BOK FINANCIAL	BANK SERVICE FEE	2600-000		29.94	18,423.25
11/17/17	1000	Reverses Check # 1000	Payment of Claimed Exemption	8100-003		-1,000.00	19,423.25
11/17/17	1002	CHRIS E CARHART	Payment of Claimed Exemption to Debtor (upon sale of property by the estate) in accordance with Order authorizing payment entered 8/31/17	8100-002		1,000.00	18,423.25
11/30/17		BOK FINANCIAL	BANK SERVICE FEE	2600-000		27.93	18,395.32
12/29/17		BOK FINANCIAL	BANK SERVICE FEE	2600-000		28.82	18,366.50
01/31/18		BOK FINANCIAL	BANK SERVICE FEE	2600-000		28.78	18,337.72
02/28/18		BOK FINANCIAL	BANK SERVICE FEE	2600-000		24.95	18,312.77
03/30/18		BOK FINANCIAL	BANK SERVICE FEE	2600-000		27.21	18,285.56
04/30/18		BOK FINANCIAL	BANK SERVICE FEE	2600-000		26.30	18,259.26
05/31/18		BOK FINANCIAL	BANK SERVICE FEE	2600-000		27.13	18,232.13
06/07/18	Asset #2	Chicago Title	SALE OF ASSETS (Doc #115)	1110-000	104,049.93		122,282.06

Form 2

Cash Receipts and Disbursements Record

Case Number: 16-06499 CED
Case Name: CHRIS E CARHART

Trustee: Robert E. Tardif Jr.
Bank Name: BOK FINANCIAL
Account: *****7577 - Checking Account (Non-Interest Earn)
Blanket Bond: \$24,397,000.00 (per case limit)
Separate Bond: N/A

Taxpayer ID#: **_***8512
Period Ending: 07/26/19

1 Trans. Date	2 Check or Ref. #	3 Paid To / Received From	4 Description of Transaction	Uniform Tran. Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
06/13/18	1003	LLP HINSHAW & CULBERTSON	Payment of Non-estate funds in accordance with Order Granting Motion to Sell Property Free and Clear of Purported Liens and Interests (Doc. No. 115)	8500-002		78,037.44	44,244.62
06/29/18		BOK FINANCIAL	BANK SERVICE FEE	2600-000		139.71	44,104.91
07/31/18		BOK FINANCIAL	BANK SERVICE FEE	2600-000		65.55	44,039.36
08/31/18		BOK FINANCIAL	BANK SERVICE FEE	2600-000		65.45	43,973.91
09/28/18		BOK FINANCIAL	BANK SERVICE FEE	2600-000		63.25	43,910.66
10/31/18		BOK FINANCIAL	BANK SERVICE FEE	2600-000		65.26	43,845.40
11/30/18		BOK FINANCIAL	BANK SERVICE FEE	2600-000		63.06	43,782.34
12/14/18	Asset #15	John Biallas	Fraudulent Transfer (Doc #119)	1241-000	5,000.00		48,782.34
12/31/18		BOK FINANCIAL	BANK SERVICE FEE	2600-000		69.62	48,712.72
01/31/19		BOK FINANCIAL	BANK SERVICE FEE	2600-000		72.40	48,640.32
02/19/19		BOK FINANCIAL	BANK SERVICE FEE	2600-000		44.30	48,596.02
02/21/19		BOK FINANCIAL	Account Closeout Transfer Adjustment	9999-000		48,596.02	0.00

ACCOUNT TOTALS

Less: Bank Transfers

129,349.93

0.00

129,349.93

48,596.02

\$0.00**Subtotal**

Less: Payment to Debtors

129,349.93**80,753.91**

1,000.00

NET Receipts / Disbursements**\$129,349.93****\$79,753.91**

Form 2

Cash Receipts and Disbursements Record

Case Number: 16-06499 CED
Case Name: CHRIS E CARHART

Trustee: Robert E. Tardif Jr.
Bank Name: Signature Bank
Account: *****1886 - Checking
Blanket Bond: \$24,397,000.00 (per case limit)
Separate Bond: N/A

Taxpayer ID#: **_***8512
Period Ending: 07/26/19

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Receipts \$	Disbursements \$	Checking Account Balance
02/21/19		Signature Bank	Account Opening Deposit Adjustment	9999-000	48,596.02		48,596.02

ACCOUNT TOTALS	48,596.02	0.00	\$48,596.02
Less: Bank Transfers	48,596.02	0.00	
Subtotal	0.00	0.00	
Less: Payment to Debtors		0.00	
NET Receipts / Disbursements	\$0.00	\$0.00	

Net Receipts:	\$129,349.93
Less Payments to Debtor:	1,000.00
Less Other Noncompensable Items:	78,037.44
Net Estate:	\$50,312.49

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
Checking # *****1886	0.00	0.00	48,596.02
Checking # *****7577	129,349.93	79,753.91	0.00
	\$129,349.93	\$79,753.91	\$48,596.02

Claims Register

Case: 16-06499-CED CHRIS E CARHART

Total Proposed Payment: \$48,596.02

Claims Bar Date: 12/27/16

Claim Number	Claimant Name / Category, Priority	Claim Type / Date Filed	Claim Ref. / Notes	Amount Filed / Allowed	Paid to Date / Proposed	Claim Balance
	Robert E. Tardif Jr. Post Office Box 2140 Fort Myers, FL 33902 2100-00 Trustee Compensation, 200	Admin Ch. 7 02/25/19		\$5,765.62 \$5,765.62	\$0.00 \$5,765.62	\$5,765.62
	Robert E. Tardif Jr. Post Office Box 2140 Fort Myers, FL 33902 2200-00 Trustee Expenses, 200	Admin Ch. 7 02/25/19		\$357.34 \$357.34	\$0.00 \$357.34	\$357.34
	U.S. Bankruptcy Court Middle District of Florida 801 N. Florida Avenue Tampa, FL 33602 2700-00 Clerk of the Court Costs (includes adversary and other filing fees), 200	Admin Ch. 7 06/26/19	2 Adversary suits	\$700.00 \$700.00	\$0.00 \$700.00	\$700.00
	CliftonLarsonAllen, LLP 4501 Tamiami Trail North Suite 200 Naples, FL 34103 3410-00 Accountant for Trustee Fees (Other Firm), 200	Admin Ch. 7 06/26/19		\$1,301.25 \$1,301.25	\$0.00 \$1,301.25	\$1,301.25
	Robert E. Tardif Jr. P.O. Box 2140 Fort Myers, FL 33902 3110-00 Attorney for Trustee Fees (Trustee Firm), 200	Admin Ch. 7 06/26/19		\$3,272.50 \$3,272.50	\$0.00 \$3,272.50	\$3,272.50
1-1	Hinshaw & Culbertson c/o Finance Department 222 N. LaSalle St., Suite 300 Chicago, IL 60601 4110-00 Real Estate--Consensual Liens (mortgages, deeds of trust, PMSI), 100	Secured 09/16/16	Unknown	\$333,614.33 \$333,614.33	\$0.00 \$0.00	\$333,614.33
2-1	Halaska International, LLC c/o Nathaniel Cade Jr., Esquire P.O. Box 170887 Milwaukee, WI 53217 7100-00 General Unsecured § 726(a)(2), 610	Unsecured 12/27/16	General Unsecured 726(a)(2) Chris Halaska	\$2,255,950.04 \$2,255,950.04	\$0.00 \$12,399.77	\$2,255,950.04
3-1	Chris Halaska c/o Nathaniel Cade Jr., Esquire P.O. Box 170887 Milwaukee, WI 53217 7100-90 Payments to Unsecured Credit Card Holders, 610	Unsecured 12/27/16	Payments to Unsecured Credit Card H	\$2,255,950.04 \$2,255,950.04	\$0.00 \$12,399.77	\$2,255,950.04
4-1	Carhart-Halaska international, LLC c/o Cade Law Group, LLC P.O. Box 170887 Milwaukee, WI 53217 7100-90 Payments to Unsecured Credit Card Holders, 610	Unsecured 12/27/16	Payments to Unsecured Credit Card H	\$2,255,950.04 \$2,255,950.04	\$0.00 \$12,399.77	\$2,255,950.04
Case Total:				\$7,112,861.16	\$0.00	\$7,112,861.16

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 16-06499-CED

Case Name: CHRIS E CARHART

Trustee Name: Robert E. Tardif Jr.

Balance on hand: \$ 48,596.02

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
1-1	Hinshaw & Culbertson	333,614.33	333,614.33	0.00	0.00

Total to be paid to secured creditors: \$ 0.00Remaining balance: \$ 48,596.02

Application for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee, Fees - Robert E. Tardif Jr.	5,765.62	0.00	5,765.62
Trustee, Expenses - Robert E. Tardif Jr.	357.34	0.00	357.34
Attorney for Trustee, Fees - Robert E. Tardif Jr.	3,272.50	0.00	3,272.50
Accountant for Trustee, Fees - CliftonLarsonAllen, LLP	1,301.25	0.00	1,301.25
Charges, U.S. Bankruptcy Court	700.00	0.00	700.00

Total to be paid for chapter 7 administration expenses: \$ 11,396.71Remaining balance: \$ 37,199.31

Application for prior chapter fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
NONE			

Total to be paid for prior chapter administration expenses: \$ 0.00Remaining balance: \$ 37,199.31

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
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NONE

Total to be paid for priority claims:	\$ 0.00
Remaining balance:	\$ 37,199.31

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$6,767,850.12 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 0.5 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
2-1	Halaska International, LLC	2,255,950.04	0.00	12,399.77
3-1	Chris Halaska	2,255,950.04	0.00	12,399.77
4-1	Carhart-Halaska international, LLC	2,255,950.04	0.00	12,399.77

Total to be paid for timely general unsecured claims:	\$ 37,199.31
Remaining balance:	\$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claims dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
NONE				

Total to be paid for tardy general unsecured claims:	\$ 0.00
Remaining balance:	\$ 0.00

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
NONE				

Total to be paid for subordinated claims:	\$ <u>0.00</u>
Remaining balance:	\$ <u>0.00</u>